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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/838,000	04/19/2001	Akira Sakaguchi	JP920000038US1	8873

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EXAMINER	
ROSWELL, MICHAEL	

ART UNIT	PAPER NUMBER
2173	5

DATE MAILED: 11/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/838,000	SAKAGUCHI ET AL.	
	Examiner	Art Unit	
	Michael Roswell	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period f r Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 July 2001* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *19 April 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Pri rity under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because the format was not limited to one paragraph. The abstract also fails to comply with PCT Rule 8(d) wherein "each main technical feature mentioned in the abstract and illustrated by a drawing in the international application shall be followed by a reference sign, placed between parentheses". Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 2, and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Fuller (U.S. Patent No. 5,179,653).

4. The abstract of the disclosure is objected to because the format was not limited to one paragraph. Correction is required. See MPEP § 608.01(b).

5. In regards to claims 1 and 2, Fuller discloses an input device that "generally comprises a display surface on the terminal [of a computer], software for displaying, on the terminal display surface, first and second sets of menu selection buttons. The

software is responsive to a user's selection buttons. The software is responsive to a user's selection of a button in the first set of buttons for displaying indicia on each of the buttons in the second set of buttons" (Columns 1 and 2, Lines 64-68, 1-2). Applicant has disclosed that "the 'browser' described in the claims of this specification can be any application used for managing display information, such as image information, for each page" (Page 14). Thus, Fuller's disclosed "software for displaying...first and second sets of menu selection buttons" is similar to Applicant's claimed browser. Fuller further discloses that, "the present invention provides a menu manager comprising a display device, a cursor control device and a programmed apparatus for controlling the display device. The programmed apparatus includes software which is responsive to the control device for displaying on the display device, first, second, and third sets of buttons" (Column 2, Lines 49-55). Thus Fuller has disclosed an invention similar to Applicant's claimed application system and input screen, wherein the application system performs a process in accordance with an operation performed by the user.

6. Furthermore, Fuller discloses, "with each selection of a button from page zone **30**, function buttons **52-82** are automatically redefined to give the user a number of selectable options" (Column 5, Lines 39-42). For example, "if page button **32** is selected, the text on function button **52** my read 'RED'" (Column 5, Lines 24-25). Thus Fuller discloses a management system wherein the application system displays objects and the browser changes images in accordance with user instruction.

7. In regards to claim 9, Fuller discloses a data processing system that "generally comprises a display surface on the terminal [of a computer], software for displaying, on the terminal display surface, first and second sets of menu selection buttons. The software is responsive to a user's selection buttons. The software is responsive to a user's selection of a button in the first set of buttons for displaying indicia on each of the buttons in the second set of buttons" (Columns 1 and 2, Lines 64-68, 1-2). Applicant has disclosed that "the 'browser' described in the claims of this specification can be any application used for managing display information, such as image information, for each page" (Page 14). Thus, Fuller's disclosed "software for displaying...first and second sets of menu selection buttons" is similar to Applicant's claimed browser. Fuller further discloses that, "the present invention provides a menu manager comprising a display device, a cursor control device and a programmed apparatus for controlling the display device. The programmed apparatus includes software which is responsive to the control device for displaying on the display device, first, second, and third sets of buttons" (Column 2, Lines 49-55). In stating "with each selection of a button from page zone **30**, function buttons **52-82** are automatically redefined to give the user a number of selectable options" (Column 5, Lines 39-42). For example, "if page button **32** is selected, the text on function button **52** my read 'RED'" (Column 5, Lines 24-25) Fuller further discloses the detection of an event, in this case a button selection, and the predetermined process that is performed in accordance with the event.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 3-8, 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fuller and Smith et al (U.S. Patent No. 5,119,475).

10. In regards to claims 3 and 4, Fuller discloses an input device similar to Applicant's claim 3, including an event processor for detecting the occurrence of an event and for performing a process corresponding to the same event (¶ 5).

11. Fuller, however, fails to teach the inclusion of an object definition file for function definition, wherein the object location is specified, and an object window for depiction of the object on the display device.

12. Smith does teach the use of both an object definition file and an object window in a similar invention in Figures 9 and 10, where both the object definition file and object window are depicted. Smith also discloses, "the specific window in which the menu is displayed is indicated" (Column 9, Lines 26-27) and "the entry '(245,297)' identifies the position of the upper left corner of the window" (Column 9, Lines 28-29).

13. Therefore it would have been obvious for one of ordinary skill in the art at the time of the invention to combine the teachings of Fuller and Smith to obtain an input

device similar to Applicant's claim 1 that includes an object definition file, event processor, and defines the location of the object in the definition file.

14. Motivation to do so is given by Smith, who states that, "a taxonomy of objects has been developed in an object-oriented programming environment that allows a programmer to develop custom menus for a user interface. This permits a large variety in the available menu characteristics so that a menu can be optimized for its task" (Column 4, Lines 48-51, 53-55).

15. In regards to claims 5-8, Fuller discloses a system for preparing a graphical user interface similar to Applicant's claim 5, wherein the system accepts user manipulation of objects on a display device, and includes an event processor for detecting the occurrence of such an event (¶ 5). Fuller also discloses a page switching process for page deletion and display as well as an interface preparation system comprising a browser and overall control means for page switching when stating, "once the user selects page button **40**, the labels set out on function buttons **52-82** no longer indicate the function they did when page **4** was selected, but rather they now indicate the newly assigned functions which are associated with the selection of page button **40**" (Column 7, Lines 8-14).

16. Fuller does not teach the inclusion of an object definition file for function definition, wherein the object location is specified, and an object window for depiction of the object on the display device. Fuller also fails to disclose a specific format for such an object definition file.

17. Smith, however, teaches an object oriented menu framework that discloses an object definition file specifying the object location, and an object window for depiction of the object on the display device (¶ 10). Smith also teaches a format for an object definition file that specifies page location, object type, and object location on the page, as can be seen in Figure 10, where location and object type are specified.

18. Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to combine the teachings of Fuller and Smith to obtain a system for preparing a graphical user interface including an object definition file that specifies location and type, a page switching process, a browser, and overall control means for the page switching process.

19. Motivation for such a combination is given by Smith, who states that, "a taxonomy of objects has been developed in an object-oriented programming environment that allows a programmer to develop custom menus for a user interface. This permits a large variety in the available menu characteristics so that a menu can be optimized for its task" (Column 4, Lines 48-51, 53-55).

20. In regards to claim 10, it is well known in the art that similar methods for the preparation of a graphical user interface are stored on computer-readable storage means. The Examiner takes official notice of this teaching. Such a medium can be found in Smith's Figure 28. Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention, having the teachings of Fuller and Smith, to

store the processes of claim 10 (¶ 8-12) in a storage medium for computer instruction.

21. In regards to claim 11, Fuller and Smith have been shown to disclose a storage medium similar to claim 10 (¶ 18).

22. Fuller alone does not disclose a process for displaying a predetermined image on an input screen by combining an object with such an image.

23. Smith discloses the objects necessary to form the object/image combination of Applicant's claim 11. "Specific objects from each dimension are combined to construct a menu having the desired selections of menu behaviors" (Column 3, Lines 22-24).

24. Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to combine the teachings of Fuller and Smith to obtain a storage medium similar to claim 10, where a browser displays an object/image combination.

25. Motivation for such a combination is given by Smith, who states, "it is desirable to provide a menu package that permits the construction of a broad variety of different menu types to meet different needs" (Column 3, Lines 5-7). Further motivation is given by Fuller, who states, "with each selection of a button from page zone **30**, function buttons **52-82** are automatically redefined to give the user a number of selectable options", wherein redefinition includes a change in the indicia of the buttons.

26. In regards to claims 12 and 13, a program transmission apparatus that includes memory, a disk drive, and a display unit can be seen in Smith's Figure 28. The processes of claims 12 and 13 are discussed above (¶ 18-23).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Roswell whose telephone number is 703-305-5914. The examiner can normally be reached on 8:30 - 5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on 703-308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5484.

JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2

Michael Roswell
10/31/2003